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11 Attorneys for Defendant
PODFITNESS, INC.

12 UNITED STATES DISTRICT COURT
13 NORTHERN DISTRICT OF CALIFORNIA
14 SAN FRANCISCO DIVISION
15

16 APPLE COMPUTER, INC.,
17

18 Plaintiff,

19 v.

20 PODFITNESS, INC., and DOES 1-100,
inclusive

21 Defendants.
22

Civil Action No. 4:06-cv-05805 SBA

**[PROPOSED] ORDER GRANTING
DEFENDANT'S MOTION TO STAY**

Date: May 1, 2007

Time: 1:00 pm

Courtroom: 3, 3rd Floor

Judge: Hon. Sandra B. Armstrong

23
24 THIS MATTER came before the Court on defendant Podfitness, Inc.'s ("Podfitness")
25 Motion to Stay. Having considered the papers and oral argument, if any, submitted in support of
26 and in opposition to Podfitness' motion, being fully advised in the premises and for good cause
27 shown, IT IS HEREBY ORDERED that Podfitness' Motion to Stay is GRANTED as follows:
28

1. The Court vacates the June 23, 2008, trial date and the other associated pretrial dates and events pending the outcome of an opposition proceeding initiated by Apple Computer with the Trademark Trial and Appeal Board;
2. The Court, if necessary, will reset the trial date and other associated pretrial dates and events, for a date that the Court and the parties are available, after a decision from the Trademark Trial and Appeal Board on Apple Computer's opposition proceeding.

IT IS SO ORDERED this ____ day of _____, 2007.

BY THE COURT:

SAUNDRA B. ARMSTRONG
U.S. DISTRICT JUDGE

CERTIFICATE OF SERVICE

I hereby certify that on March 12, 2007, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

David James Miclean, miclean@fr.com.

WORKMAN NYDEGGER

/s/ Robert E. Aycock
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